

City of Killeen
Regular City Council Meeting
Killeen City Hall
September 10, 2013 at 5:00 p.m.

Presiding: Mayor Daniel A. Corbin

Attending: Mayor Pro-Tem Elizabeth Blackstone, Council members Terry Clark, Jared Foster, Wayne Gilmore, Jonathan Okray, and Jose Segarra

Absent: Steve Harris

Also attending were City Manager Glenn Morrison, City Attorney Kathryn Davis, City Secretary Dianna Barker, and Sergeant-at-Arms Copelin.

Mr. Ed Talley gave the invocation, and Councilmember Clark led everyone in the pledge of allegiance.

Approval of Agenda

Motion was made by Mayor Pro-Tem Blackstone to approve the agenda as written. Motion seconded by Councilmember Gilmore. The motion carried unanimously.

Consent Agenda

CA-1 Consider minutes of Regular City Council Meeting of August 27, 2013.

CA-2 Consider a memorandum/resolution approving the Killeen-Fort Hood Regional Airport Lease Agreement Renewals.
Staff comments: Mr. Van Valkenburg - Expiring airline lease agreements for American Airlines, Inc., Delta Air Lines, Inc., and United Airlines, Inc. Staff has negotiated with representatives of the three airlines for extensions of their respective lease agreements, which include rental rate increases for the baggage claim area and passenger screening/hold room areas. This is expected to add about \$20,000.00 additional revenue to the budget.

CA-3 Consider a memorandum/resolution approving the appointment of an Executive Director of Human Resources.
Staff comments: Glenn Morrison - Roshanda T. Smiley was selected to serve as Executive Director of Human Resources.

- CA-4 Consider a memorandum/resolution authorizing the City Manager to submit an application for funding through the Killeen-Temple Metropolitan Planning Organization (KTMPO) Statewide Transportation Planning Metropolitan Mobility (STPMM) Category 7 Funds.

Staff comments: George Luecke - The Killeen-Temple Metropolitan Planning Organization (KTMPO) became eligible to receive Statewide Transportation Planning Metropolitan Mobility (STP-MM), otherwise known as Category 7 funds in FY 2012-2013 due to its designation as a transportation management area (TMA). The preliminary budget estimate for the Trimmier Road Widening project is \$8,214,572.67. Staff recommends that the City apply for \$2,000,000 of Category 7 funding.

- CA-5 **A.** Consider a request by RSBP Developers, Inc. (Case #13-021FS: White Rock Estates, Phase Ten) for a final plat, being approximately 63.229 acres out of the William J.C. Hill Survey, Abstract No. 383 and the A.H. Wood Survey, Abstract No. 886. The property is located south of White Rock Estates, Phase Eight, Killeen, Texas. Staff comments: Tony McIlwain - For White Rock Estates Phase Ten, a final plat consisting of 62.229 acres. The property is located south of White Rock Estates, Phase Eight. The property is zoned R-1 (Single Family Residential District) and SR-1 (Suburban Residential Single Family District) and the applicant is platting the property into 197 residential lots. Rosewood Drive is being extended as part of this platting action. Planning and Zoning Commission indicated there were minimal drainage issues that will be resolved during the construction phase of the development.

B. Consider a memorandum/resolution for a City/Owner Agreement to construct Rosewood Drive as a Minor Arterial Street as part of the White Rock Estates, Phase Ten Subdivision.

Staff comments: The attached City/Owner Agreement reflects the cost to widen 928 linear feet of Rosewood Drive to 66-foot width and storm drainage improvements, and associated engineering design and surveying services. The costs are as presented by the developer and reflect current industry construction costs.

Funding in the amount of \$195,120.67 for the widening of Rosewood Drive, with associated storm drainage improvements, is available in General Obligation 2009 Bonds Account 339-3490-800.56-63, which is reserved for City/Owner Agreement Participation.

- CA-6 Consider minutes of Special City Council Meeting of September 3, 2013.

Motion was made by Mayor Pro-Tem Blackstone to approve Consent Agenda items 1 through 6, as presented. Motion was seconded by Councilmember Segarra. Motion carried unanimously.

Public Hearings / Ordinances

- PH-1 **HOLD** a public hearing and consider a request for a plat by RSBP Developers, Inc. (Case #13-016RRS: Purser Crossing, Phase Five) being a residential replat of part of Drainage Tract “A” and Lots 3-7, Block 14, Purser Crossing, Phase One and 2.924 acres being part of the W.L. Harris Survey, Abstract No. 1155. The property is located on the south side of John Helen Drive, Killeen, Texas.
Staff comments: Tony McIlwain - The staff concurred that the plat meets the requirements of the City's subdivision regulation.
The Planning and Zoning Commission approved plat case #13-016: Purser Crossing, Phase Five by a vote of 7 to 0.

Mayor Corbin opened the public hearing. With no one appearing, the public hearing was closed.

Motion was made by Councilmember Segarra to approve the plat as submitted. Motion was seconded by Councilmember Gilmore; motion carried unanimously.

- PH-2 **HOLD** a public hearing and consider an ordinance requested by Yong K. and Hyo S. Chang, to rezone approximately 3.7 acres, being part of the Thomas Robinett Survey, Abstract No. 686, from ‘A’ (Agricultural District) and R-1 (Single-Family Residential District) to B-3 (Local Business District). The property is locally known as 3502, 3602, and 3702 Watercrest Road, Killeen, Texas.

City Secretary read the ordinance caption

Staff comments: Tony McIlwain - This request, submitted by Yong K. and Hyo S. Chang, to rezone approximately 3.7 acres, from 'A' (Agricultural District) and R-1 (Single-Family Residential District) to B-3 (Local Business District). The property is locally known as 3502, 3602, and 3702 Watercrest Road, Killeen, Texas.
The property is located along the south right-of-way of Watercrest Road, south of the t-intersections of Lakecrest and Lakeridge Drives and Watercrest Road. The staff notified fifty-six (56) property owners within a 200' notification boundary. Staff has received protests from several residents. After a long discussion with the applicant to reduce the requested zoning change to NBD (Neighborhood Business District), the Planning and Zoning Commission recommended approval of the NBD (Neighborhood Business District) by a vote of 7 to 0 for the four addresses. Mr. Kim addressed the Council and indicated it would not be agreeable to rezoning this area as B-1; it must be B-3 or NBD

Mayor Corbin opened the public hearing.

Andrea Frediani, 3508 Viewcrest Drive – previously submitted a protest petition with photos to planning. The intention was to depict the level of housing and current business density. Ms. Frediani feels there's no need for any other businesses in this area and is concerned about the level of traffic on Watercrest and noise and trash debris

if there's a gas station in that area. Ms. Frediani requests the Council deny the rezoning request.

With no one else appearing, the public hearing was closed.

Motion was made by Councilmember Okray to deny PH-2. Motion failed for lack of a second. Motion was made by Councilmember Segarra to approve rezoning the above stated property to NBD. Motion was seconded by Councilmember Foster; motion carried 4 to 2 with Councilmember Okray and Councilmember Segarra opposing.

PH-3 **HOLD** a public hearing and consider an ordinance requested by Chong S. and Kyung S. Yu (**Case #Z13-25**) to rezone part of Lot 1, Block 1, Regency Ridge Subdivision, from B-5 (Business District) to B-3A (Local Business and Retail Alcohol Sales District) for a liquor store. The property is located at the northeast corner of Trimmier Road and E. Stan Schlueter Loop (FM 3470) and is locally known as 4700 Trimmier Road, Suite A, Killeen, Texas. (**Postponed from August 27, 2013 Council Meeting**)

City Secretary read the ordinance caption.

Staff comments: Tony McIlwain - This request is to rezone part of Lot 1, Block 1, Regency Ridge Subdivision, from 'B-5' (Business District) to 'B-3A' (Local Business and Retail Alcohol Sales District) to allow for package store sales. The property is located at the northeast corner of Trimmier Road and E. Stan Schlueter Loop (FM 3470) and is locally known as 4700 Trimmier Road, Suite A. The staff notified property owners of the six (6) surrounding properties that are within 200 feet of the subject site regarding this request. One protest received from owners of 4612 Trimmier Road. Police Chief stated his department has dealt with the tenant before at other locations. The Planning and Zoning Commission recommends approval of the rezone request from 'B-5' (Business District) to 'B-3A' (Local Business and Retail Alcohol Sales District) by a vote of 4 to 0.

Mayor Corbin opened the public hearing.

Mary Wiley, representative of property owners, PO Box 1384, Killeen – reason for the request is to have a liquor store on the property.

With no one else appearing the public hearing was closed.

Motion was made by Councilmember Okray to approve PH-3. Motion was seconded by Councilmember Gilmore; motion carried unanimously.

Ordinances / Resolutions

- OR-1 Consider an ordinance amending Chapter 2, Article VI, Section 2-150 (a) Aviation and (g) Golf Course Fees.

City Secretary read the ordinance caption.

Staff comments: Martie Simpson - The proposed ordinance is submitted to amend certain fees for Aviation (Killeen-Fort Hood Regional Airport) and the Golf Course. In addition, the following language is being added for consideration: *"Council grants the city manager the authority to temporarily change rates for recreational activities from time to time for promotional purposes."* This amendment is anticipated to add about \$50,000.00 in additional revenues to the new budget year.

Motion was made by Mayor Pro-Tem Blackstone to approve OR-1. Motion was seconded by Councilmember Segarra; motion carried unanimously.

- OR-2 Consider a memorandum/resolution amending the Killeen Civic and Conference Center fees.

Staff comments: Martie Simpson - The proposed 10% fee increases reflect the current market study for facility rates. In addition, the following language is being added for consideration: *"Council grants the city manager the authority to temporarily change rates from time to time for promotional purposes."*

Motion was made by Councilmember Clark to approve OR-2. Motion was seconded by Councilmember Segarra; motion carried unanimously.

- OR-3 Consider an ordinance adopting a budget for operating the municipal government of Killeen for the fiscal year October 1, 2013 through September 30, 2014.

City Secretary read the ordinance caption.

Staff comments: Martie Simpson – went over recent changes to the proposed budget that council has reviewed at earlier public hearings.

Motion was made by Mayor Pro-Tem Blackstone stating "I move to approve and to adopt the Budget for Operating the Municipal Government of the City of Killeen for the Fiscal Year Ending September 30, 2014 as presented." Motion was seconded by Councilmember Segarra.

Mayor Corbin directed the City Secretary to call for a record vote:

Councilmember Okray voted yes, Councilmember Gilmore voted yes, Mayor Pro-Tem Blackstone voted yes, Councilmember Clark voted yes, Councilmember Segarra voted yes, Councilmember Foster voted yes. Motion carried unanimously. (Councilmember Harris was not present)

- OR-4 Consider a memorandum/resolution of the City Council of the City of Killeen, Texas, ratifying that the adoption of the 2013-14 Annual Budget will require raising more revenue from property taxes than in the previous year.
Staff comments: Martie Simpson – gave the Council the reasoning for ratification of the budget.

Motion was made by Mayor Pro-Tem Blackstone stating, "I move to approve the ratification of the property tax increase reflected in the budget." Motion was seconded by Councilmember Gilmore.

Mayor Corbin directed the City Secretary to call for a record vote:

Councilmember Okray voted no, Councilmember Gilmore voted yes, Mayor Pro-Tem Blackstone voted yes, Councilmember Clark voted yes, Councilmember Segarra voted yes, Councilmember Foster voted yes. Motion carried 5 to 1.

- OR-5 Consider an ordinance setting the Tax Rate for Fiscal Year 2013-14.

City Secretary read the ordinance caption.

Staff comments: Martie Simpson – stated the Council has previously set the preliminary tax rate at .7428.

Mayor Pro-Tem Blackstone made a motion stating, "I move that the property tax rate be increased by the adoption of a tax rate of .7428 which is effectively a 1.544771 percent increase in the tax rate." Motion was seconded by Councilmember Clark.

Mayor Corbin directed the City Secretary to call for a record vote:

Councilmember Okray voted no, Councilmember Gilmore voted yes, Mayor Pro-Tem Blackstone voted yes, Councilmember Clark voted yes, Councilmember Segarra voted yes, Councilmember Foster voted yes. Motion carried 5 to 1.

Adjournment

With no further business, upon motion being made by Councilmember Clark, seconded by Councilmember Okray, and unanimously approved, the meeting was adjourned at 5:45 p.m.

Daniel A. Corbin, Mayor

Dianna Barker, City Secretary